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5 IN AND FOR THE SUPERIOR COURT  
6 COCHISE COUNTY ARIZONA

7 ELI DALTON-WEBB,  
8 Plaintiff,

CASE NO. CV202500919

9 vs.

ANSWER IN RESPONSE TO  
COMPLAINT FOR SPECIAL ACTION

10 CITY OF SIERRA VISTA, an Arizona  
11 political subdivision,

12 Defendants.

13  
14 Defendant, the City of Sierra Vista, by and through undersigned counsel and  
15 pursuant to 17B A.R.S. Special Actions, Rules of Proc. Rule 7(a)(2), for its Answer in  
16 Response to Complaint for Special Action, admits, denies and affirmatively alleges as  
17 follows:

18  
19 **ANSWER**

20 1. Defendant admits the allegations contained in Paragraphs 1-7 of the  
21 Complaint.

22 2. Defendant denies the allegations contained in Paragraphs 8 and 10 of the  
23 Complaint, and affirmatively alleges that in response to Plaintiff's request, the Defendant  
24  
25

1 has made available to Plaintiff, upon payment of applicable fees, all currently releasable  
2 records.

3 3. In Answering Paragraph 9 of the Complaint, Defendant admits that  
4 A.R.S. §39-121.01(E) addresses a public entity's responsibility to respond to a public records  
5 request, affirmatively alleges that the Defendant has made available to Plaintiff, upon  
6 payment of applicable fees, all currently releasable records, and denies the remainder of  
7 the allegations in that paragraph.  
8

9 4. The Defendant lacks knowledge or information sufficient to form a belief  
10 about the truth of the allegations contained in Paragraph 11 of the Complaint and therefore  
11 denies the same.  
12

13 5. Paragraphs 12-16 ostensibly contain a prayer for relief for which no response  
14 is generally required, but to the extent that any of those paragraphs contain allegations for  
15 which a response is needed, the Defendant denies the same.  
16

17 6. Paragraph 17 does not require a response.  
18

19 **GENERAL DENIAL**

20 Defendant hereby denies each and every allegation of the Complaint that is not  
21 affirmatively and expressly admitted herein.

22 **AFFIRMATIVE DEFENSES**

23 Defendant asserts each and every affirmative defense set forth in Ariz. R. Civ.P. 8(d),  
24 as well as any matter constituting an avoidance or affirmative defense. Defendant  
25

1 specifically asserts the affirmative defenses of accord and satisfaction, estoppel, and  
2 release. As the discovery process proceeds, and as additional affirmative defenses are  
3 identified, they will be disclosed by way of appropriate discovery and pleadings.

4 WHEREFORE, having fully answered Plaintiff's Complaint, Defendant requests:

5  
6 A. That the Court dismiss Plaintiff's special action on the grounds that it fails to  
7 state a claim upon which relief can be granted.

8 B. That the Court find that Plaintiff's special action to be premature and  
9 accordingly require Plaintiff to pay Defendant's costs in defending this action.

10  
11 C. That the Court deny Plaintiff's request for attorney's fees and costs;

12 D. That the Court award Defendant's costs of suit as prescribed by A.R.S. § 12-  
13 341 and other applicable statutes and rules; and

14  
15 E. For such other and further relief as the Court deems proper.

16 DATED this 8th day of January, 2026.

17 CITY OF SIERRA VISTA

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20 \_\_\_\_\_  
21 Nathan J. Williams  
22 City Attorney  
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